

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

KEVIN McDONALD,

Plaintiff,

v.

Civil Action No. **3:11CV729**

UNITED STATES OF AMERICA,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on December 9, 2011, the Court conditionally docketed Plaintiff's motion for return of property. On December 21, 2011, United States Postal Service returned the December 9, 2011 Memorandum Order to the Court marked, "RETURN TO SENDER" and "No Longer at this Address." Since that date, McDonald has not contacted the Court to provide a current address. Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 2-28-12
Richmond, Virginia

<u> /s/ </u> James R. Spencer United States District Judge
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